

CCS HS HCS SCS SB 199 -- COUNTY GOVERNMENT; WATER POLLUTION
BONDS; RECREATIONAL FACILITY DISTRICTS

COUNTY GOVERNMENT

This bill:

(1) Increases the required assessed valuation necessary to qualify as a county of the first classification from \$450 million to \$600 million and as a county of the second classification from \$300 million to \$450 million. Any county that has the requisite assessed valuation to become a county of the first classification may choose to do so upon an affirmative vote of the county's governing body, even though the county has not had this valuation for five successive years as required under current law;

(2) Authorizes the Boone County Commission to impose a civil fine of not more than \$250 for misdemeanor county ordinance violations and requires the county counselor, rather than the county prosecuting attorney, to prosecute these violations. Fines collected pursuant to the bill will be paid into the county general fund and used to pay for the cost of enforcement of the ordinances;

(3) Authorizes county treasurers in counties of the third and fourth classification to issue payroll checks before the filing of the county budget estimates;

(4) Authorizes all counties to impose, upon voter approval, a sales tax of up to 0.025% for community services for children up to the age 19. Current law allows St. Charles, St. Louis, Jefferson, Franklin, Warren, and Lincoln counties to enact this sales tax. The moneys collected from the tax will be deposited into the county's community children's fund and administered by the board of directors;

(5) Authorizes any county subject to Environmental Protection Agency rules concerning storm water discharge to adopt ordinances that are necessary to comply with federal regulations. These counties may, upon voter approval, impose a storm water utility tax in an amount necessary to fund public storm water control projects;

(6) Authorizes St. Louis County to impose, by ordinance, a semiannual fee of up to \$200 on owners of residential property or commercial housing property if that property is vacant, has been vacant for six months, and is in violation of the housing code. A municipal officer must make the initial determination, and the owner may appeal or improve the property within 30 days. If improved, the owner may ask for reinspection. If the fee is

still imposed, the owner may still appeal. Delinquent fees become a lien upon the property. Currently, only municipalities may impose the fee;

(7) Clarifies that a municipality in Christian County may continue to operate an emergency telephone service in the event the county also establishes a service or has been reclassified into a higher classification;

(8) Authorizes the Department of Economic Development to designate an area within Jackson County as a satellite zone. The governing body of the county must submit a plan describing how the zone corresponds to the county's overall enterprise zone strategy. The department is also required to designate an enterprise zone in Laclede County. The zones must be approved by the department director and meet all statutory requirements;

(9) Authorizes counties of the second, third, or fourth classification to set, by ordinance, countywide speed limits on county-maintained roads; and

(10) Establishes requirements for candidates for the office of public administrator. Candidates must be 21 years of age, be a resident of the county for at least one year, be a registered voter, and be current in the payment of all personal and business taxes.

WATER POLLUTION BONDS

In addition to amounts authorized prior to August 28, 2004, the bill authorizes the Board of Fund Commissioners to issue bonds for grants and loans pursuant to several sections of Article III of the Missouri Constitution. The authorizations are for:

(1) \$10 million of bonds for waste water pollution control, drinking water system improvements, and storm water control pursuant to Section 37(e);

(2) \$10 million of bonds for rural water and sewer projects pursuant to Section 37(g); and

(3) \$20 million of bonds for storm water control plans, studies, and projects in first classification counties and the City of St. Louis pursuant to Section 37(h).

EXHIBITION CENTER AND RECREATIONAL FACILITY DISTRICTS

The bill creates the Exhibition Center and Recreation Facility District Act. It enables citizens of Boone, Buchanan, Camden, Jasper, Jefferson, Miller, Morgan, and Newton counties to

petition to create an exhibition center and recreational facility district. At least 50 property owners in a county must sign the petition.

Once the petition is filed, the governing body may approve a resolution to create the district. Following a public hearing, the governing body may adopt an order establishing the proposed district.

A board of trustees will administer any district created. The governing body of each county within the district will appoint four residents from the portion of the county within the district to serve on the board. The board will have the power to enter into contracts or other agreements affecting the affairs of the district, borrow money, issue bonds, acquire and dispose of real and personal property, refund bonds without an election, manage the affairs of the district, hire agents, and amend and adopt bylaws.

The district may submit to its voters a sales tax of up to 0.5%. The tax will be reduced automatically to a rate of 0.1% after 25 years unless an extension is voted upon by the voters in the district.

COUNTY CRIME REDUCTION FUND

The bill allows county commissions to create county crime reduction funds and specifies the purposes for which the money in the funds can be spent.

The bill allows the court to order restorative justice methods in cases where there is a suspended imposition or execution of sentence and to order individuals who have a suspended imposition or execution of sentence for a misdemeanor to make a payment of up to \$250 to the county crime reduction fund.

The bill also allows the court to order a payment of up to \$250 to the county crime reduction fund as a condition of probation. A judge can only order this condition of probation if the fund was established prior to sentencing. A judge cannot have any direct supervisory or administrative control over the fund to which he or she orders probationers to make payments. A defendant can refuse probation that includes, as a condition, payments to the fund, but probation cannot be revoked solely for failure to make payments, except under certain circumstances.